IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL REVISION APPLICATION NO.959 OF 1993

1. Municipal Corporation of
Greater Bombay, having its
office at Mahapalika Marg,
Fort, Bombay-400 001
and others .... Petitioners

- Versus -

1. Kulsumbi Mohamed Yakub
and others .... Respondents

Smt. A.H. Chheda & Shri M.R. Kulkarni
for the Petitioners.

Shri Anthony T. Marques for the Respondents.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: NOVEMBER 22, 2004

ORAL JUDGMENT:

1. None present for the petitioners. Shri A.T. Marques for the respondents. Heard. Perused the records.

2. The petitioners challenge the order dated 11-3-1993 passed by the City Civil Court prima facie finding the petitioners to be guilty of civil contempt under Section 2(b) of the Contempt of Courts Act, 1971, hereinafter referred to as "the said Act", and therefore directing the Registrar of the said Court to forward the report to this Court for initiation of the proceedings under

Section 10 of the said Act.

3. Bare perusal of the impugned order discloses that the City Civil Court on prima facie finding the petitioners to be guilty of the contempt of Court has directed the Registrar of that Court to submit the report to this Court for initiating the contempt proceedings. In other words, the impugned order cannot be said to be "case decided" within the meaning of the said expression under Section 115 of the Code of Civil Procedure. On this count itself, this revision application is liable to be rejected and is accordingly hereby dismissed. The rule is discharged with no order as to costs.